

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

Paper No. 13

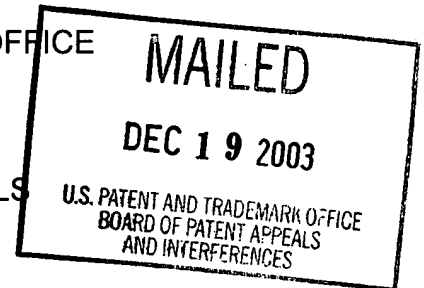
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YU-HUNG KAO

Appeal No. 2004-0163
Application 09/590,613

ORDER REMANDING TO EXAMINER



A Reply Brief (Paper No. 12) was received at the Board of Patent Appeals and Interferences (BPAI) on November 25, 2003 in response to the Examiner's Answer (Paper No. 10) mailed June 17, 2003.

However, in accordance with the revision effective December 1, 1997, Title 37, Code of Federal Regulations, § 1.193 states:

(b)(1) ... The primary examiner must either acknowledge receipt and entry of the reply brief or withdraw the final rejection and reopen prosecution to respond to the reply brief.

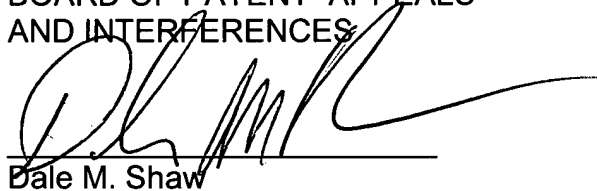
Appeal No. 2004-0163
Application 09/590,613

Accordingly, it is

Ordered that the application is remanded to the examiner for consideration and proper response to Paper No. 12, and for such action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be promptly informed of any action affecting the appeal in this case.

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

Dale M. Shaw
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